

III. REMARKS

1. Claim 1 is amended. Claim 7 is cancelled without prejudice.
2. Claims 1, 5-6, 10 and 17 are not anticipate by Oda (EP Patent No. 0 845 664) under 35 U.S.C. §102(e).

Claim 1 is amended to recite that the reference module in the sensor module comprises one or more squaring means. This is not disclosed or suggested by Oda. Oda does not disclose or suggest compensating the temperature dependency of the photoelectric conversion characteristic. In Oda, the temperature dependency of the photoelectric conversion characteristic cannot be compensated due to the nature of the compensation mechanism (blind sensor element) used there. Oda shows a blind sensing element next to a seeing sensor element. The blind element may compensate for some thermal effects, but it cannot compensate for the temperature dependency of the infrared-to-electric conversion, simply because it does not convert IR radiation into electric values because it is blind. It may compensate e.g. temperature dependent voltage offset values, but the temperature dependency of the thermoelectric conversion characteristics remains unaffected by this compensation.

In contrast thereto, claim 1 describes a technique that provides just the desired temperature compensation of the thermoelectric conversion characteristics. Specifically, claim 1 recites that a temperature-sensitive reference means comprising one or several squaring means provides a temperature-dependent second electric signal.

Oda does not disclose or suggest how to compensate the temperature dependency of the photoelectric conversion

characteristic. In Applicant's invention, the compensation occurs in the branch of the reference element and not in the branch of the sensor element itself. A consequence of this is that Applicant has a comparatively complicated compensation mechanism, namely a temperature reference element and the squaring means as recited in claim 1. These are not disclosed or suggested by Oda. FIG. 4 of Oda shows a thermal infrared detecting element 401 and a reference level detecting element 403 on a common silicon substrate 411. (Col. 6, lines 33-39). Reference level detecting element 403 has little sensitivity to infrared rays. (Col. 7, lines 1-3).

Thus, each of the features of claim 1 are not disclosed or suggested by Oda and claim 1 cannot be anticipated. Claims 5, 6, 10 and 17 should be allowable in view of their respective dependencies.

3. Claims 2-4, 7-8, 11-16 and 18 are not unpatentable over Oda under 35 U.S.C. §103(a).

As noted above, claim 1 is not disclosed or suggested by Oda for the reasons stated. The above-referenced claims should also be allowable by reason of their respective dependencies.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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6 July 2004

Date

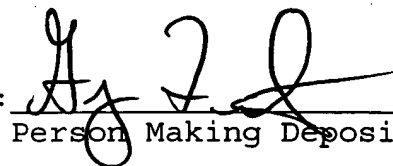
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